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The following Bill was introduced in Parliament on the 17th April 1951:—

BILL *No. 40 OF 1951.

A

BILL

to declare the institution known as "Visva-Bharati" to be an institution of national importance and to provide for its functioning as a unitary teaching and residential university.

BE it enacted by Parliament as follows:—

PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Visva-Bharati Act, 1951.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Declaration of Visva-Bharati as an institution of national importance.*—Whereas the late Rabindranath Tagore founded an institution known as Visva-Bharati at Santiniketan in the district of Birbhum in West Bengal the objects of which are such as to make the institution one of national importance, it is hereby declared that the institution known as 'Visva-Bharati' aforesaid is an institution of national importance.

3. *Definitions.*—In this Act and in all Statutes made hereunder, unless the context otherwise requires,—

(a) "Siksha Samiti" (Academic Council) means the Siksha Samiti (Academic Council) of the University;

(b) "Alumni Association" means the Association of the Alumni of the University constituted under the provisions of this Act and the Statutes;

(c) "Samsad" (Court) means the Samsad (Court) of the University;

(d) "Karma Samiti" (Executive Council) means the Karma Samiti (Executive Council) of the University;

(e) "Bhavan" (Hall) means a unit of residence with provision for tutorial instruction for students provided or recognised by the University;

(f) "Chatravasa" (Hostel) means a unit of residence for students provided or recognised by the University;

(g) "Statutes", "Ordinances" and "Regulations" mean respectively the Statutes, Ordinances and Regulations of the University for the time being in force;

(h) "teachers" means such persons as are engaged in imparting instruction and guiding students in practical work or otherwise in the University and in the institutions under its control, and includes professors, readers, lecturers, demonstrators and other grades of teachers appointed by the University;

(i) "University" means the institution known as Visva-Bharati incorporated as a University under this Act.

* The President has in pursuance of clause (3) of article 117 of the Constitution of India, recommended to Parliament the consideration of the Bill.

4. *Incorporation.*—The first Acharya (Chancellor) and Upacharya (Vice-Chancellor) of the University who shall be the persons appointed in this behalf by the Central Government by notification in the Official Gazette, and the first members of the Samsad (Court), and all persons, who may hereafter become or be appointed as such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of Visva-Bharati, and shall have perpetual succession and a common seal, and shall sue and be sued by that name.

5. *Effect of incorporation of the University in certain cases.*—On and from the commencement of this Act,—

(i) all references in any enactment to the Society of the name of Visva-Bharati registered on the 16th May, 1922, under the Societies Registration Act, 1860 (XXI of 1860) shall be construed as references to the University;

(ii) any will, deed or other document whether made or executed before or after the commencement of this Act, which contains any bequest, gift or trust in favour of the said Society shall, on the commencement of this Act be construed as if the University was therein named instead of the said Society;

(iii) subject to the provisions of this Act, every person employed immediately before the commencement of this Act in the said Society shall hold employment in the University by the same tenure and upon the same terms and conditions and with the same rights and privileges as to pension and gratuity as he would have held under the said Society, if this Act had not been passed:

Provided that if the University decides to alter the terms and conditions of service of any such employee, a fresh contract shall be executed for the purpose, and if the employee is not agreeable to serve under the new terms and conditions, his services may be terminated in accordance with his original contract of employment or, if no provision is made therein in this behalf, on payment to him by way of compensation of an amount equal to his salary for six months.

6. *Powers of the University.*—The University shall exercise the following powers and perform the following duties, namely:—

(a) to provide for research and instruction in such branches of learning as may be deemed desirable and be found practicable and for the promotion of understanding of cultures between the East and the West and for the advancement of learning and dissemination of knowledge generally;

(b) to maintain colleges and Bhavans (halls) or recognise colleges and Bhavans (halls) not maintained by the University and to withdraw such recognition;

(c) to organise, establish, affiliate, carry on and maintain or dissolve, disaffiliate or give up new branches or associated institutions having objects similar to those of the University;

(d) to co-operate with educational or other institutions in any part of the world having objects wholly or partly similar to those of the University by exchange of teachers, scholars and generally in such manner as may be conducive to their common objects;

(e) to provide for the promotion of rural reconstruction, social welfare, development of cottage industries, and all other nation-building activities and works of public benefit;

(f) to hold examinations and grant such degrees, diplomas and other academic distinctions or titles to persons as may be laid down in the Statutes, Ordinances or Regulations;

(g) to institute and appoint persons to professorships, readerships, lecturerships, fellowships and chairs or posts of any description;

(h) to frame Statutes, Ordinances or Regulations, and alter, modify or rescind the same;

(i) to receive gifts, donations or benefactions from Government and to receive bequests, donations, and transfers of movable or immovable properties from testators, donors or transferors, as the case may be;

(j) to deal with any property belonging to or vested in the University in such manner as to the University may seem fit for advancing the objects of the University;

(k) to do all such things as may be incidental or conducive to the attainment of the objects of the University or any of them.

7. *Territorial jurisdiction of the University.*—Save as otherwise provided in this Act, the powers of the University conferred by or under this Act shall be restricted to the area specified in the Schedule.

8. *University to be open to all races, creeds and classes.*—Subject to the Ordinances, the University shall be open to all persons irrespective of sex, nationality, race, creed, caste or class, and no test or condition shall be imposed as to religious belief or professsion in admitting or appointing members, students, teachers, workers, or in any other connection whatsoever, except in respect of any particular benefaction accepted by the University of which such test is made a condition by the instrument creating such benefaction:

Provided that no benefaction shall hereafter be accepted which in the opinion of the authorities of the University involves conditions or obligations opposed to the spirit and object of this section:

Provided further that nothing in this section shall be deemed to prevent religious instruction being given in any manner approved of by the authorities concerned to those who have given their consent thereto by teachers duly and properly authorised for that purpose.

9. *Teaching at the University.*—All recognised teaching at the University shall be conducted by and in the name of the University in accordance with the Statutes and Ordinances made in this behalf.

THE PARIDARSAKA (VISITOR)

10. *The Paridarsaka (Visitor).*—(1) The president shall be the Paridarsaka (Visitor) of the University.

(2) The Paridarsaka (Visitor) shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories and equipment, and of any institution maintained by the University and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the University.

(3) The Paridarsaka (Visitor) shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented thereat.

(4) The Paridarsaka (Visitor) may address the Upacharya (Vice-Chancellor) with reference to the result of such inspection and inquiry, and the Upacharya (Vice-Chancellor) shall communicate to the Karma Samiti (Executive Council) the views of the Paridarsaka (Visitor) with such advice as the Paridarsaka (Visitor) may offer upon the action to be taken thereon.

(5) The Karma Samiti (Executive Council) shall communicate through the Upacharya (Vice-Chancellor) to the Paridarsaka (Visitor) such action, if any, as it is proposed to take or has been taken on the result of such inspection or inquiry.

(6) Where the Karma Samiti (Executive Council) does not, within a reasonable time, take action to the satisfaction of the Paridarsaka (Visitor), the Paridarsaka (Visitor) may, after considering any explanation furnished or representation made by the Karma Samiti (Executive Council), issue such directions as he may think fit, and the Karma Samiti (Executive Council) shall comply with such directions.

(7) The Karma Samiti (Executive Council) shall report to the Samsad (Court) at the next annual meeting the action, if any, that may have been taken or is proposed to be taken as a result of the inquiry made and the advice given by the Paridarsaka (Visitor).

THE PRADHANA (RECTOR)

11. *The Pradhana (Rector).*—The Governor of West Bengal shall be the Pradhana (Rector) of the University.

OFFICERS OF THE UNIVERSITY

12. *Officers of the University.*—The following shall be the officers of the University :—

(i) the Acharya (Chancellor),

(ii) the Upacharya (Vice-Chancellor),

(iii) the Artha-Sachiva (Treasurer), and

(iv) such other officers as may be declared by the Statutes to be officers of the University.

13. *The Acharya (Chancellor).*—(1) The successors to the first Acharya (Chancellor) shall be elected by the Samsad (Court) in the manner prescribed by the Statutes.

(2) The Acharya (Chancellor) shall hold office for three years, and by virtue of his office, be the Head of the University.

(3) The Acharya (Chancellor) shall, if present, preside at the Convocations of the University and at meetings of the Samsad (Court).

(4) Every proposal for the conferment of an honorary degree shall be subject to the confirmation of the Acharya (Chancellor).

(5) The Acharya (Chancellor) shall have such other powers as may be conferred on him by this Act or the Statutes.

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14. *The Upacharya (Vice-Chancellor).*—(1) The Upacharya (Vice-Chancellor) shall be the principal academic and executive officer of the University, and the terms and conditions of service of the Upacharya (Vice-Chancellor) shall be as laid down by the Statutes.

(2) The Upacharya (Vice-Chancellor) shall exercise such powers and perform such functions as may be prescribed by the Statutes.

(3) The mode of appointment of the successors to the first Upacharya (Vice-Chancellor) shall be as laid down in the Statutes.

15. *The Artha-Sachiva (Treasurer).*—The Artha-Sachiva (Treasurer) shall be appointed in such manner, upon such conditions and for such period as may be laid down in the Statutes, and shall exercise general supervision over the funds of the University and shall perform such functions as may be prescribed by the Statutes and the Ordinances.

16. *Other Officers.*—The powers of officers of the University other than the Acharya (Chancellor), the Upacharya (Vice-Chancellor) and the Artha-Sachiva (Treasurer) shall be as prescribed by the Statutes.

Authorities of the University

17. *Authorities of the University.*—The following shall be authorities of the University :—

(1) the Samsad (Court),

(2) the Karma Samiti (Executive Council),

(3) the Siksha Samiti (Academic Council), and

(4) such other authorities as may be declared by the Statutes to be authorities of the University.

18. *The Samsad (Court).*—(1) The Samsad (Court) shall consist of the following persons, namely :—

Class I—Ex-officio *members*

(i) the Acharya (Chancellor),

(ii) the Upacharya (Vice-Chancellor),

(iii) the Minister-of Education in the Government of West Bengal,

(iv) the Artha-Sachiva (Treasurer),

(v) principals of colleges,

(vi) heads of departments.

Class II—Life members

(vii) persons who have been *pradhanas* of the Visva-Bharati Society immediately before the commencement of this Act,

(viii) such persons as may be appointed by the Paridarsaka (Visitor) either on his own motion or on the recommendation of the Karma Samiti (Executive Council) to be life members of the Samsad (Court) on the ground that they have rendered eminent service to education.

Class III—Other Members 504

(ix) representatives of the Alumni Association elected from among its own members,

(x) persons elected from among their own body by donors of such amounts as may be prescribed by the Statutes to or for the purposes of the University,

(xi) persons elected by Siksha Samiti (Academic Council) from among its own members,

(xii) representatives of Parliament elected by it,

(xiii) persons co-opted by the Samsad (Court),

(xiv) persons nominated by the Paridarsaka (Visitor),

(xv) persons nominated by the Pradhana (Rector),

(xvi) persons nominated by the Acharya (Chancellor).

(2) The number of members to be appointed, elected, co-opted or nominated under clauses (viii) to (xvi) of sub-section (1) and the tenure of office of members to be elected, co-opted or nominated under each clause of Class III of that sub-section and the mode of election of members to be elected shall be prescribed by the Statutes.

19. *Meetings of the Samsad (Court).*—(1) The Samsad (Court) shall, on a date to be fixed by the Upacharya (Vice-Chancellor), meet once a year at a meeting to be called the annual meeting of the Samsad (Court).

(2) The Upacharya (Vice-Chancellor) may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than one-third of the members of the Samsad (Court), convene a special meeting of the Samsad (Court).

20. *Powers and duties of the Samsad (Court).*—(1) The Samsad (Court) shall be the supreme governing body of the University and shall exercise all the powers of the University, not otherwise provided for by this Act, the Statutes, the Ordinances and the Regulations, and shall have power to review the acts of the Karma Samiti and Siksha Samiti (Executive and Academic Councils).

(2) Subject to the other provisions contained in this Act, the Samsad (Court) may—

(a) make Statutes;

(b) consider the Ordinances and the Regulations;

(c) consider and pass such resolutions on the annual report, the annual accounts and the financial estimates as it thinks fit;

(d) elect such persons to serve on authorities of the University and appoint such officers as may be prescribed by this Act or the Statutes; and

(e) exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes.

21. *The Karma Samiti (Executive Council).*—The Karma Samiti (Executive Council) shall be the executive body of the University and its constitution and the term of office of its members shall be prescribed by the Statutes.

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22. *Power and duties of the Karma Samiti (Executive Council).*—The Karma Samiti (Executive Council)—

(a) shall hold, control and administer the property and funds of the University, and for these purposes it shall have a Standing Finance Committee whose constitution and powers and duties shall be defined by the Statutes;

(b) shall determine the form, provide for the custody and regulate the use, of the common seal of the University;

(c) shall submit to the Central Government annually a full statement of the financial requirements of the University;

(d) shall administer any funds placed at the disposal of the University for specific purposes;

(e) subject to the provisions of the Act and the Statutes, shall appoint the officers [other than the Acharya (Chancellor), the Upacharya (Vice-Chancellor), and the Artha-Sachiva (Treasurer)] teachers and other servants of the University, and shall define their duties and the conditions of their service, and shall provide for the filling of temporary vacancies in their posts;

(f) shall have power to accept on behalf of the University transfers of any movable or immovable property;

(g) shall appoint examiners after consideration of the recommendations of the Siksha Samiti (Academic Council);

(h) shall arrange for the holding of, and publish the results of the University examinations;

(i) may delegate, subject to such conditions as may be prescribed by the Ordinances its power to appoint officers, teachers and other servants of the University to such person or authority as the Karma Samiti (Executive Council) may determine;

(j) shall exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the Statutes:

Provided that no action shall be taken by the Karma Samiti (Executive Council) in respect of the number, qualifications and status of teachers, otherwise than on a recommendation of the Siksha Samiti (Academic Council);

(k) shall exercise all other powers of the University not otherwise provided for by this Act or the Statutes.

23. *The Siksha Samiti (Academic Council).*—(1) The Siksha Samiti (Academic Council) shall be the academic body of the University, and shall subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation, and be responsible for the maintenance of standards of instruction, education and examination within the University, and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes and shall have the right to advise the Karma Samiti (Executive Council) on all academic matters.

(2) The constitution of the Siksha Samiti (Academic Council) and the terms of office of its members shall be prescribed by the Statutes.

24. *Other authorities of the University.*—The constitution, powers and duties of such other authorities as may be declared by the Statutes to be authorities of the University shall be as provided for in the Statutes.

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25. *Alumni Association.*—The University shall have an Alumni Association open to past students and past workers of the University, including members of the Asramika Sangha of the former Visva-Bharati Society, on such conditions as may be laid down in the Statutes.

STATUTES, ORDINANCES AND REGULATIONS.

26. *Statutes.*—Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely :—

(a) the conferment of honorary degrees ;

(b) the institution of fellowships, scholarships, exhibitions, medals and prizes ;

(c) the designations and powers of the officers of the University ;

(d) the terms of office and the method and conditions of election or appointment of the officers of the University ;

(e) the constitution, powers and duties of the authorities of the University ;

(f) the classification and mode of appointment and the determination of the terms and conditions of service of teachers of the University ;

(g) the institution and maintenance of Bhawanas (Halls) and Chatravasas (hostels) ;

(h) the constitution of pension, insurance and provident fund for the benefit of the officers, teachers and other servants of the University ;

(i) the constitution and activities of the Alumni Association ;

(j) the discipline of students ; and

(k) any other matters which by this Act are to be or may be prescribed by the Statutes.

27. *Statutes how made.*—(1) The first Statutes shall be framed by the Central Government.

(2) The Statutes may be amended, repealed or added to by Statutes made by the Samsad (Court) in the manner hereinafter appearing.

(3) The Karma Samiti (Executive Council) may propose to the Samsad (Court) the draft of any Statute to be passed by the Samsad (Court), and such draft shall be considered by the Samsad (Court) at its next succeeding meeting. The Samsad (Court) may approve such draft and pass the Statute, or may reject it or return it to the Karma Samiti (Executive Council) for reconsideration, either in the whole or in part, together with any amendments which the Samsad (Court) may suggest.

(4) After any draft so returned has been further considered by the Karma Samiti (Executive Council), together with any amendments suggested by the Samsad (Court) returned thereto, it shall be again presented to the Samsad (Court) with the report of the Karma Samiti (Executive Council) thereon, and the Samsad (Court) may then deal with the draft in any way it thinks fit.

(5) Where any Statute has been passed or a draft of a Statute or part thereof has been rejected by the Samsad (Court), it shall be submitted to the Paridarsaka (Visitor), who may refer the Statute or draft back to the Samsad (Court) for further consideration or, in the case of a Statute passed by the Samsad (Court), assent thereto or withhold his assent.

(6) A Statute passed by the Samsad (Court) shall have no validity until it has been assented to by the Paridarsaka (Visitor).

(7) The Karma Samiti (Executive Council) shall not propose the draft of any Statute affecting the status, powers or constitution of any authority of

the University until such authority has been given an opportunity of expressing an opinion upon the proposal, and any opinion so expressed shall be in writing and shall be considered by the Samsad (Court), and shall be submitted to the Paridarsaka (Visitor).

(8) The Samsad (Court) may of its own motion take into consideration the draft of any Statute:

Provided that in any such case before a Statute is passed affecting the powers or duties of the Acharya (Chancellor), the Upacharya (Vice-Chancellor) or the Artha-Sachiva (Treasurer) or any authority or board, the opinion of the Karma Samiti (Executive Council) and a report from the person or body concerned shall have been taken into consideration by the Samsad (Court).

28. *Ordinances.*—Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

(a) the admission of students to the University;

(b) the courses of study to be laid down for all degrees and diplomas of the University;

(c) the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the University and shall be eligible for degrees and diplomas;

(d) the conditions of the award of the fellowships, scholarships, exhibitions, medals and prizes;

(e) the conditions, mode of appointment and duties of examining bodies, examiners and moderators;

(f) the conduct of examinations;

(g) the conditions of residence of the students of the University and the levying of fees for residence in Bhawanas (Halls) and Chatravasas (Hostels) and of other charges;

(h) the fees to be charged for courses of study in the University and for admission to the examinations, degrees, and diplomas of the University;

(i) the maintenance of discipline among the students of the University;

(j) the number and qualifications of teachers of the University;

(k) the formation of departments of teachers; and

(l) any other matters which by this Act or the Statutes are to be or may be provided for by the Ordinances.

29. *Ordinances, how made.*—(1) Save as otherwise provided in this section, Ordinances shall be made by the Karma Samiti (Executive Council):

Provided that—

(a) no Ordinance shall be made affecting the admission or enrolment of students, or prescribing examinations to be recognised as equivalent to the University examinations unless a draft of the same has been proposed by the Siksha Samiti (Academic Council); and

(b) no Ordinance shall be made affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examinations or any course of study, except in accordance with a proposal of the Siksha Samiti (Academic Council) and unless a draft of such Ordinance has been proposed by the Siksha Samiti (Academic Council) in the manner prescribed by the Statutes; and

(c) no Ordinance shall be made affecting the conditions of residence

of students, except after compliance with such conditions as may be prescribed by the Statutes.

(2) The Karma Samiti (Executive Council) shall not have the power to amend any draft proposed by the Siksha Samiti (Academic Council) under the provisions of sub-section (1), but may reject it or return it to the Siksha Samiti (Academic Council) for reconsideration either in whole or in part, together with any amendments which the Karma Samiti (Executive Council) may suggest.

(3) All Ordinances made by the Karma Samiti (Executive Council) shall have effect from such date as it may direct, but every Ordinance so made shall be submitted, as soon as may be, to the Paridarsaka (Visitor) and the Samsad (Court), and shall be considered by the Samsad (Court) at its next succeeding meeting.

(4) The Samsad (Court) shall have power by a resolution passed by a majority of not less than two-thirds of the members present at such meeting to cancel any such Ordinance and such Ordinance shall, from the date of such resolution, be void.

(5) The Paridarsaka (Visitor) may, at any time after any Ordinance has been considered by the Samsad (Court), signify to the Samsad (Court) and the Karma Samiti (Executive Council) his disallowance of such Ordinance, and from the date of receipt by the Karma Samiti (Executive Council) of intimation of such disallowance, such Ordinance shall become void.

(6) The Paridarsaka (Visitor) may direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance and any order of suspension under this sub-section shall cease to have effect on the expiration of one month from the date of such order, or on the expiration of fifteen days from the date of consideration of the Ordinance by the Samsad (Court), whichever period expires later.

(7) Where the Karma Samiti (Executive Council) has rejected the draft of an Ordinance proposed by the Siksha Samiti (Academic Council), the Siksha Samiti (Academic Council) may appeal to the Samsad (Court) which, after obtaining the views of the Karma Samiti (Executive Council), may, if it approves the draft make the Ordinance and submit it to the Paridarsaka (Visitor), for approval.

30. *Regulations.*—(1) The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances—

(a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;

(b) providing for all matters which by this Act, the Statutes or the Ordinances are to be prescribed by the Regulations; and

(c) providing for all other matters solely concerning such authorities or committees appointed by them and not provided for by this Act, the Statutes and the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for the keeping of a record of the proceedings of meetings.

(3) The Karma Samiti (Executive Council) may direct the amendment, in such manner as it may specify, of any Regulation made under this section or the amendment of any Regulation made under sub-section (1).

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31. *Residence.*—Every student of the University shall reside in a Bhavan (Hall) or Chatravasa (Hostel) or under such conditions as may be prescribed by the Statutes and the Ordinances.

Admission and Examinations

32. *Admission.*—Admission of students to the University shall be made in such manner as may be prescribed by the Ordinances.

33. *Examinations.*—Subject to the provisions of the Statutes, all arrangements for the conduct of examinations shall be made by the Karma Samiti (Executive Council) in such manner as may be prescribed by the Ordinances.

Annual Reports and Accounts

34. *Annual Reports.*—(1) The annual report of the University shall be prepared under the directions of the Karma Samiti (Executive Council), and shall be submitted to the Samsad (Court) on or before such date as may be prescribed by the Statutes, and shall be considered by the Samsad (Court) at its annual meeting.

(2) The Samsad (Court) may pass resolutions on the annual report and communicate the same to the Karma Samiti (Executive Council) which shall take such action as it thinks fit, and the Karma Samiti (Executive Council) shall inform the Samsad (Court) of the action taken by it, and when no action is taken, of its reasons therefor.

35. *Annual accounts.*—(1) The annual accounts and balance-sheet of the University shall be prepared under the direction of the Karma Samiti (Executive Council), and shall be submitted to the Central Government.

(2) The audit of the accounts of the University shall be carried out according to the directions of the Central Government.

(3) Copies of the audited accounts together with copies of the audit report, if any, shall be submitted to the Samsad (Court) and to the *Paridarsaka (Visitor)*.

(4) The annual accounts and the financial estimates shall be considered by the Samsad (Court) at its annual meeting, and the Samsad (Court) may pass resolutions thereon and communicate the same to the Karma Samiti (Executive Council) which shall take them into consideration and take such action thereon as it thinks fit or inform the Samsad (Court) when no action is taken, of its reasons therefor.

Supplementary Provisions

36. *Conditions of service of officers and teachers.*—Every salaried officer and teacher of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the officer or teacher concerned.

37. *Tribunal of Arbitration.*—Every dispute arising out of a contract between the University and any of its officers or teachers shall be referred to a Tribunal of Arbitration consisting of one member appointed by the Karma Samithi (Executive Council), one member nominated by the officer or teacher concerned and an umpire appointed by the Paridarsaka (Visitor), and the decision of the Tribunal shall be final.

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38. *Pension and provident funds.*—(1) The University shall constitute, for the benefit of its officers [including the Upacharya (Vice-Chancellor)], teachers, and other servants, in such manner and subject to such conditions as may be prescribed by the Statutes, such pension, insurance and provident funds as it may deem fit.

(2) Where any such pension, insurance or provident fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 (XIX of 1925) shall apply to such fund as if it were a Government Provident Fund.

39. *Filling of casual vacancies.*—(1) Subject to any provision in this Act and in the Statutes, the Karma Samiti (Executive Council), shall appoint with the approval of the Paridarsaka (Visitor) a person to fill a casual vacancy in the office of the Upacharya (Vice-Chancellor), and the person so appointed shall hold office till the next meeting of the Samsad (Court).

(2) All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled, as soon conveniently may be, by the person or body, who appointed, elected or co-opted the member whose place has become vacant, and the person appointed, elected or co-opted to a casual vacancy shall be member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

40. *Removal from membership of the University.*—The Samsad (Court) may, on the recommendation of not less than two-thirds of the members of the Karma Samiti (Executive Council) remove any person from membership of any authority or board of the University in case of a serious offence involving moral turpitude, or if he has been guilty of scandalous conduct and for the same reasons may withdraw any degree or diploma conferred or granted by the University.

41. *Disputes as to constitution of any University, authority or bodies.*—If any question arises whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Paridarsaka (Visitor) whose decision thereon shall be final.

42. *Constitution of committees.*—Where any authority of the University is given power by this Act or by the Statutes to appoint committees, such committee shall, unless there is some special provision to the contrary, consist of members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.

43. *Proceedings of the University authorities not invalidated by vacancies.*—No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

44. *Power to remove difficulties.*—If any difficulty arises with respect to the establishment of the University or any authority of the University or in connection with the first meeting of any authority of the University, the Central Government may, by order, make any appointment or do anything which appears to it necessary or expedient for the proper establishment of the University or any authority thereof or for the first meeting of any authority of the University.

THE SCHEDULE

(*See* section 7)

The territorial limits of the University.

The area known as Santiniketan in the District of Birbhum in West Bengal, admeasuring 11.5 square miles, bounded—

on the north by the Kopai River,

on the west by a line running from Ballavpur and Bonuri villages to Bandgora,

on the south by a line running from Bandgora *via* Bolpur Dak Bungalow to the bridge over the East Indian Railway cutting and

on the east by the East Indian Railway line.

STATEMENT OF OBJECTS AND REASONS

The Visva-Bharati founded by Dr. Rabindranath Tagore at Santiniketan in 1921 is a unique institution, and has since its inception served as a centre for the study of, and research in, the different cultures of the East on the basis of their underlying unity, and has sought to approach the West from the standpoint of such a unity of the life and thought of Asia. The institution has acquired a world-wide recognition and has attracted scholars and pupils from many countries all over the world.

2. The University Education Commission commended the special and very valuable work done by this institution, particularly its "effort to discover, preserve and transmit the vast elements of old Indian culture, and the work with the surrounding villages" and recommended that the Visva-Bharati should be given a provisional Charter as a University with suitable capital and recurring grants. The recommendations of the University Education Commission were approved by the Central Advisory Board of Education at its meeting in April 1950, and the Government of West Bengal agree to the establishment of a unitary, teaching and residential University at Santiniketan by an Act of Parliament.

3. There is no provision in the Constitution of India for the grant of a Charter (as distinct from an Act) as recommended by the University Education Commission, but the Constitution makes the Union Government responsible for institutions declared by law to be of national importance (*vide* item 63 of List I of the Seventh Schedule to the Constitution).

4. It is, therefore, proposed to make such a declaration and have the Visva-Bharati constituted as a Central University. The constitution that is proposed to be given to Visva-Bharati is in conformity with the recommendations made by the University Education Commission with such modifications as are considered necessary to preserve the tradition and special features of the institution.

ABUL KALAM AZAD.

NEW DELHI,
The 31st March, 1951.

M. N. KAUL,
Secretary.

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